

Application No. 10/803,994
Supplemental Amendment to Response Filed May 11, 2006.

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 41-56 and 85-92 are currently active in this case, Claims 50 amended, and Claims 93-95 canceled by way of the present amendment.

First, Applicants wish to thank Examiner Dhingra for the July 10 and July 12 telephone discussions at which time the outstanding issues in this case were discussed. During the discussions, Applicants presented amendments and remarks substantially as indicated in this Supplemental Amendment. While no formal agreement was reached, Examiner Dhingra indicated that such amendments would move this case closer to allowance.

Applicants note that the production drawings filed with the February 2, 2006 IDS remains to be considered by the Examiner and initialed on PTO Form 1449. An explanation of these references was provided in the March 30, 2006 interview and the Amendment filed May 11, 2006. The IDSs filed May 11, 2006 and May 16, 2006 also need to be considered and their respective PTO Form 1449s initialed.

The Abstract is now amended to correct an informality, and the specification is amended to include a U.S. patent application Serial No. in Paragraph 43. Claim 50 is amended to correct an informality. Attached hereto is a copy of the Periodic Table referred to in the Amendment filed May 11, 2006, and faxed to the examiner on July 10, 2006.

In addition, as requested by Examiner Dhingra, Claims 93-95 have been canceled in order to expedite allowance of this case.

In response to rejection under the judicially created doctrine of double patenting, Applicants herewith file a terminal disclaimer in compliance with 37 C.F.R. §1.321 thereby overcoming the double patenting rejection of Claims 41, 46, and 48-53 set forth in the Office Action mailed February 28, 2006. For the record, Applicants note that the "filing of a

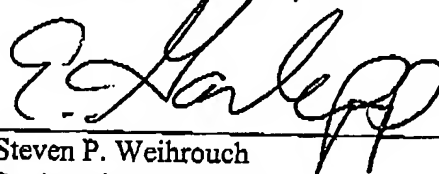
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terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits on the rejection." Quad Environmental Technologies Corp v. Union Sanitary District, 946 F.2d 870, 874, 20 USPQ2d 1392, 1394-5 (Fed. Cir. 1991).

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch
Registration No. 32,829
Edwin D. Garlepp
Registration No. 45,330

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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For more information, contact:

Van Nostrand Reinhold
115 Fifth Avenue
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Chapman & Hall GmbH
Pappelallee 3
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Chapman & Hall
2-6 Boundary Row
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United Kingdom

International Thomson Publishing Asia
221 Henderson Road #05-10
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